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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

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9 STEVEN BRAUNSTEIN,

Case No. 2:19-cv-00327-RFB-CWH

10 Petitioner,

ORDER

11 v.

12 DWIGHT NEVEN, et al.,

13 Respondents.

14 Petitioner Steven Braunstein has submitted a petition for a writ of habeas corpus  
15 (ECF No. 1).

16 Petitioner challenged the same amended judgment of conviction in at least three  
17 previous actions filed in this court: 3:11-cv-00587-LRH-WGC; 3:13-CV-00666-MMD-  
18 WGC; 2:14-cv-00853-JCM-VCF; and 2:15-cv-000947-RFB-NJK. In the first action listed,  
19 this court dismissed the habeas petition because all of the claims were procedurally  
20 defaulted. The second, third and fourth habeas petitions listed here were, therefore,  
21 second or successive habeas corpus petitions. *Henderson v. Lampert*, 396 F.3d 1049,  
22 1053 (9<sup>th</sup> Cir. 2005). Petitioner was required to obtain authorization from the court of  
23 appeals before he could proceed with a second or successive petition. 28 U.S.C. §  
24 2244(b)(3). This court dismissed both petitions because petitioner did not have such  
25 authorization. Petitioner again lacks such authorization here, and this petition shall also  
26 be dismissed with prejudice as second and successive.

27 Reasonable jurists would not find this conclusion to be debatable or wrong, and  
28 the court will not issue a certificate of appealability.

1           **IT IS THEREFORE ORDERED** that the Clerk shall **DETACH** and **FILE** the petition  
2 (ECF No. 1-1).

3           **IT IS FURTHER ORDERED** that the petition is **DISMISSED** with prejudice as a  
4 successive petition.

5           **IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

6           **IT IS FURTHER ORDERED** that the Clerk shall **ENTER JUDGMENT** accordingly  
7 and close this case.

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11           DATED: February 27, 2019.



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RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE